



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

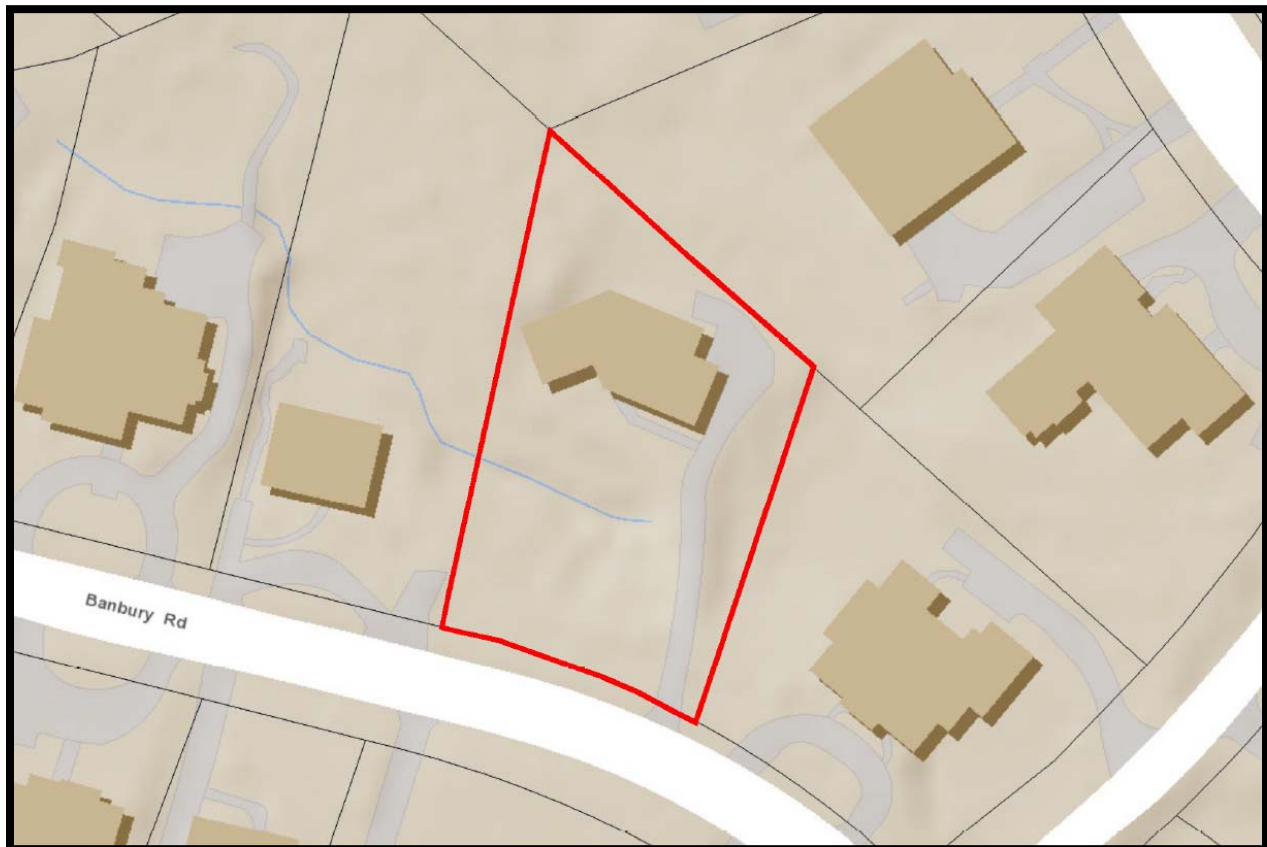
Case File: A-44-17

Property Address: 1921 Banbury Road

Property Owner: Daniel Vacek

Project Contact: Daniel Vacek

Nature of Case: A request for a 1.1' side setback variance and a 1.5' rear setback variance pursuant to Section 2.2.1 of the Unified Development Ordinance to construct a new detached house utilizing portions of the existing detached house's building footprint on a .48 acre parcel zoned Residential-4 and located at 1921 Banbury Road.

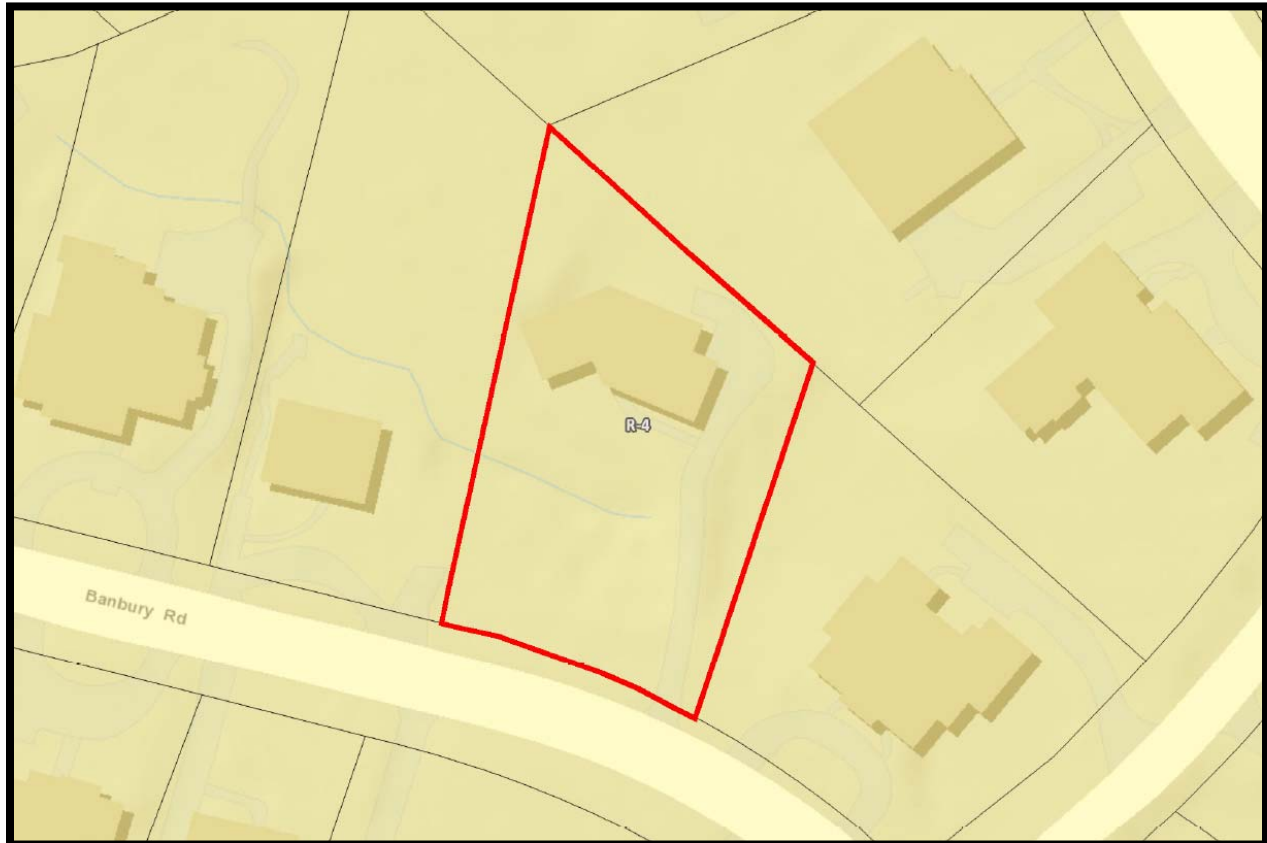


1921 Banbury Road – Location Map

To BOA: 4-10-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-4



1921 Banbury Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-4

Lot Dimensions

Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

Yard Type

Minimum Setback

Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (If more space is needed, submit addendum on separate sheet): HARDSHIP DUE TO EXISTING FOOTPRINT, AS PURCHASED BUT NOT DISCLOSED, RIGHT SIDE SETBACK AT 9' AND REAR SETBACK AT 28.5'. OVERALL, NEW HOME FOOTPRINT WILL UTILIZE EXISTING FOOTPRINT PLUS NEW FOOTPRINT AS S HOBBY ON DETACHMENT Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number. REFERENCE, ATTACHED EMAIL THREAD FOR SOME EXCHANGES TO DATE. </p>	<p>Transaction Number</p> <p>A-44-17</p>

GENERAL INFORMATION			
Property Address 1921 BANBURY		Date 3/6/17	
Property PIN 0795809129	Current Zoning R-4		
Nearest Intersection BANBURY & CAMBRIDGE		Property size (in acres) 0.48	
Property Owner DAN VACEK	Phone 919-706-5025	Fax	
Owner's Mailing Address 1921 BANBURY RD, RALEIGH, NC 27608		Email DLVACEK@COMCAST.NET	
Project Contact Person DAN VACEK		Phone 919-706-5025	Fax
Contact Person's Mailing Address 1921 BANBURY RD, RALEIGH, NC 27608		Email DLVACEK@COMCAST.NET	
Property Owner Signature 		Email DLVACEK@COMCAST.NET	
Notary Sworn and subscribed before me this <u>6th</u> day of <u>March</u> , 20 <u>17</u>		Notary Signature and Seal 	

SURVEY FOR

DANIEL L. VACEK

LOT 10A, BUDLEIGH SUBDIVISION

1921 BANBURY ROAD

PIN# 0795.20-80-9129

D.B. 15538 PAGE 2586

B.M. 1928 PAGE 47

CITY OF RALEIGH

WAKE COUNTY, NORTH CAROLINA

JANUARY 26, 2012

REVISED DECEMBER 29, 2016

REVISED JANUARY 4, 2017



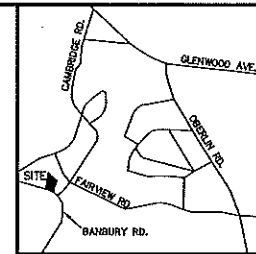
SCALE 1"=30'

NOTES:

1. THIS PLAT SUBJECT TO ALL EASEMENTS, AGREEMENTS AND RIGHTS OF WAY OF RECORD PRIOR TO THE DATE OF THIS PLAT.
2. NO UNDERGROUND UTILITIES HAVE BEEN MARKED OR LOCATED FOR THIS PLAT.
3. ALL BOUNDARIES ARE PRELIMINARY AND SUBJECT TO CHANGES.
4. ALL BEARINGS AND DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
5. ALL CONTOUR LINE ARE AT 1' INTERVALS, HIGHLIGHTED EVERY 5'.
6. ELEVATION DATUM IS BASED ON NAVD 88 (GPS OBSERVATIONS)

1909 BANBURY RD.
APPROX. DISTANCE FROM
BLDG. CORNER TO R/W = 39.8'
APPROX. EAVE HEIGHT 13.1'
APPROX. PEAK ROOF HEIGHT 38.6'

1913 BANBURY RD.
APPROX. DISTANCE FROM
BLDG. CORNER TO R/W = 38.6'
APPROX. EAVE HEIGHT 9.2'
APPROX. PEAK ROOF HEIGHT 18.0'



VICINITY MAP

LEGEND:

EIP - EXISTING IRON PIPE
EPK - EXISTING PK NAIL
NIP - NEW IRON PIPE SET
R/W - RIGHT OF WAY
CATV - CABLE TV BOX
EB - ELECTRIC BOX
TEL - TELEPHONE PEDESTAL
PP - POWER POLE
OHL - OVERHEAD LINE
LP - LIGHT POLE
WM - WATER METER
WV - WATER VALVE
CO - SEWER CLEAN-OUT
GM - GAS METER

EXISTING HOME
FOOT PRINT
PLUS

NEW HOME
FOOT PRINT

OVERALL NEW
HOME FOOT
PRINT

11

10

10A

20,885 sq. ft.
0.479 AC.

1925 BANBURY RD.
APPROX. DISTANCE FROM
BLDG. CORNER TO R/W = 36.4'
APPROX. EAVE HEIGHT 15.3'
APPROX. PEAK ROOF HEIGHT 31.5'

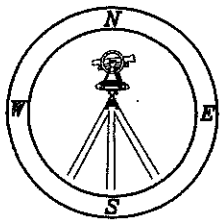
BANBURY ROAD PUBLIC 50' R/W

LINE TYPE LEGEND

---	PROPERTY LINE - LINE SURVEYED
---	RIGHT-OF-WAY
---	ADJOINING LINE - LINE NOT SURVEYED
---	OVERHEAD LINE
---	BUILDING SETBACK
---	EASEMENT
---	BUFFER
---	FLOOD HAZARD SOILS

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING
C-1	109.67'	410.00'	109.35'	N 68°53'48" W



CAWTHORNE, MOSS
& PANCIERA, P.C.

Professional Land Surveyors
C-1525

333 S. White Street
Post Office Box 1253
Wake Forest, N.C. 27588
(919)556-3148



I DECLARE THAT THIS SURVEY COMPLIES WITH THE NORTH CAROLINA STANDARDS OF PRACTICE FOR SURVEYING, (SECTION 1600) FOR CLASS A SURVEYS AND THAT THE CALCULATED RATIO OF PRECISION BEFORE ADJUSTMENTS IS 1:10,000+. FURTHERMORE, PROPERTY CORNERS SHOWN ARE PRIMARY CONTROL MONUMENTATION FOR THE RE-ESTABLISHMENT OF PROPERTY CORNERS IN THE ABSENCE OF GRID MONUMENTS AND OTHER SUBDIVISION PROPERTY CORNERS. THIS SURVEY IS NOT TO BE RECORDED WITHOUT THE WRITTEN AUTHORIZATION OF THE SURVEYOR.

PROFESSIONAL LAND SURVEYOR L-4685

0795809129
VACEK, DANIEL L.
1921 BANBURY RD
RALEIGH NC 27608-1119

0794898933
SIPLING, PHILIP J SIPLING, DONNA B
1008 MEGSON CT
RALEIGH NC 27614-8326

0794898857
KENNEDY, SARA LAUREN
2000 BANBURY RD
RALEIGH NC 27608-1122

0795806082
PARLI, ROSE
1912 BANBURY RD
RALEIGH NC 27608-1120

0795807050
DURANT, MATTHEW
1916 BANBURY RD
RALEIGH NC 27608-1120

0795807237
DWYER, EDWIN CHARLES DWYER, LAURA
MOODY
1909 BANBURY RD
RALEIGH NC 27608-1119

0795807560
KING, FRANCIS P JR KING, BETSY S
1618 CANTERBURY RD
RALEIGH NC 27608-1108

0795808223
STIKELEATHER, JANE REAMES
1913 BANBURY RD
RALEIGH NC 27608-1119

0795808553
CHURCH, JOHN C JR CHURCH, MARY
EMORY R
1620 CANTERBURY RD
RALEIGH NC 27608-1108

0795809440
BOYSE, TEDRIC DALE BOYSE, MARGARET
BROWN
3007 FAIRVIEW RD
RALEIGH NC 27608-1131

0795900132
GARDNER, ELA GARDNER, LARS
BENJAMIN
1925 BANBURY RD
RALEIGH NC 27608-1119

0795900312
JEFFERSON, JAY A JEFFERSON, HELEN K
3003 FAIRVIEW RD
RALEIGH NC 27608-1131

0795901202
MATTHEWS, JOHN C MATTHEWS,
ELIZABETH W
3001 FAIRVIEW RD
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